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Testing, 1, 2, 3

Milwaukee PD finally ready to add psych screening of recruits

Pending approval by a federal judge, the Milwaukee Police Department expects to implement its first ever psychological screening component to its entrance requirement this year.

Milwaukee's use of screening tools that are used routinely in numerous other cities had been thwarted by a 1975 court order which mandated that minorities account for 40 percent of newly hired officers and females 20 percent. "There were people in the department who wanted to [implement psychological screening], but because of this ongoing litigation, we wanted to make sure we resolved all issues," Joseph Czarnetzki, executive director of the city's Fire and Police Commission, told Law Enforcement News. "We didn't want to add additional components to the process that could lead to litigation."

A decision by U.S. District Judge John Reynolds vacated that order in 1997, however, and allowed the department to begin hiring police aides and officers from a current eligibility list. Czarnetzki said Reynolds's ruling also required that the agency develop a selection process which does not ad-

versely affect minorities. A testing consultant hired by the city recommended that the Minnesota Multiphasic Personality Inventory (MMPI) be made part of the hiring protocol.

The process is being developed on an incremental basis, Czarnetzki said. Since the court's ruling, candidates have been put through a written cognitive exam — a personality inventory that he said differs from a psychological screening instrument — along with a physical ability test and a background investigation. Those who pass the background check will be screened with the MMPI. Whether those results will be used and in what capacity has not yet been determined.

"It is our understanding that they will take the test, the results will be interpreted, and people with certain results will then be referred for an individual evaluation by a psychologist," said Czarnetzki. Like the physician who assesses candidates' physical ability, he said, the commission anticipates getting a similar type of report that is based on the psychological evaluation.

Police Chief Arthur Jones said that

he supported the screening if it could be used to help maintain a "high level and high quality of officer." But the city's police union has not endorsed its use.

Said Bradley DeBraska, president of the Milwaukee Police Association: "That type of screening won't do a thing to better weed out those who are not qualified to be police officers. The only thing that will weed out unfit candidates is a good background investigation, and that is currently being done. You can hold all the additional testing you want, but the key is the background research."

It is arguable whether psychological screening can keep troubled candidates off the job, agreed Dr. C. Vance McLaughlin, director of training for the Savannah Police Department. There is no test that he considers valid at this time, he told LEN.

McLaughlin pointed out that in order for a police department to be nationally certified by the Commission on Accreditation for Law Enforcement Agencies, it must include as part of its hiring requirements that candidates submit to psychological screening. How-

ever, the CALEA guidelines do not say that a department must adhere to those results, nor do they specify what test must be given. In recent years, McLaughlin said, a tremendous market has grown up around the need for psychological screening of police.

"If you look back on the history of the MMPI, it wasn't originally designed for police work," said McLaughlin. "What they do is they say we use the MMPI with modifications. The question then comes up, 'How can we use a test that has never been proved to be job related because we don't then hire those who don't make it on the test to see their performance?' We just hire the ones that make it past the test."

Given the choice between psychological screening and an in-depth background check, said McLaughlin, he would choose the investigation. But even that comes with a caveat.

As the number of applicants for police work continues to decline, many departments have been forced to "ease standards." By looking too hard, they could end up disqualifying their best

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When ex-cons come home to the 'hood, will police be ready?

By significantly reducing rehabilitation programs inside prison walls to fund the incarceration boom of the past decade, states and the Federal government have created a massive cohort of parolees with needs far greater than those of newly released prisoners in the past — and raised questions as to how well prepared police agencies are to handle the re-entry of so many offenders into the community.

According to a recent Department of Justice study by Joan Petersilia, professor of criminology, law and society at the University of California-Irvine, state prisons released nearly 600,000 inmates, including juvenile offenders, in 1999 — nearly the same number that

were admitted to facilities that year. That figure is also nearly triple the number of prisoners released in 1980.

But while states such as California have dozens of new prisons since the mid-1980s and increased corrections budgets as much as four-fold, those increased dollars have been spent on operating costs. Prison-based substance abuse programs are expanding but are often minimal, noted the study. Even though the Office of National Drug Control Policy has reported that as much as 85 percent of state prisoners need drug treatment, but only 13 percent will receive it while incarcerated.

"Fewer programs, and lack of incentives to participate, mean fewer inmates

leave prison having addressed their work, education, and substance abuse problems," Petersilia's study found.

Largely unskilled and uneducated, most parolees fail and are rearrested within the first six months after release, said the study. Two-thirds are rearrested within three years. The failure rate, in fact, is so high that parole failures account for 35 percent of all new prison admissions, more than twice the amount in 1980.

In Boston, where a consortium of police, clergy, community groups and federal law enforcement has initiated a post-prison re-entry program, newly released inmates accounted for a 13-percent increase in firearms-related

crimes during the first half of 2000, according to Police Superintendent Paul Joyce. [See sidebar, Page 6.]

According to a 1999 report by the California State Legislative Analyst's Office, 85 percent of released prisoners in the state are drug or substance abusers; 70 percent to 80 percent remain unemployed after a year; 10 percent are homeless and 50 percent are illiterate. Similar figures are found nationwide. Allen J. Beck of the Bureau of Justice Statistics told The New York Times that 82 percent of parolees who go back to prison are drug addicts, 40 percent are jobless, 19 percent are homeless and three-quarters have not completed high school.

While parole officers are supposed to supervise newly released prisoners, 20 percent of inmates will serve their full sentence and leave prison without being subject to post-custody supervision or services, according to Petersilia's study. Parole agents now carry caseloads of more than 70 parolees, as compared with the 45 usually assigned during the 1970s. In California, officers lost track of about one-fifth of their parolees in 1999, said the study, while nationally, 9 percent of all parolees absconded.

"When most Americans think of the surge in the prison population, they think it has reduced crime and that makes them more secure," Petersilia told The Times. "What they forget is that 97 percent of prisoners will be released, and the more times a person has been to prison before, the more likely

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Information, please: News media & police squabble over records access

When it comes to the news appetites of local media outlets, police records are a basic food group. Thus it may have come as no surprise that the availability of such records — or the lack thereof — was a source of recent friction between the press and police in Durham, N.C., over a weekday-only policy for releasing crime records, and in the East Valley part of the greater Phoenix area, where Arizona's largest newspaper has complained that search-warrant affidavits are increasingly being kept off limits by authorities.

While Durham Police Chief Theresa Chambers said she was open to alter-

natives, the department is standing firmly behind a decision made in February to distribute field officers' arrest and incident reports only between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. New reports had previously been available twice a day, seven days a week, and often shortly after an incident occurred.

The policy was created to improve the agency's clearance rate of 13 percent, said Chambers, who believes that many arrests are not being properly recorded. She shifted responsibility for reports to the records division because there needed to be a more organized

way to manage them, officials told The (Durham) Herald-Sun. There is not enough manpower, however, to keep the records unit open at night and on weekends.

"I really hope they saw the spirit of its intent: to bring credibility to how we assign cases and clear those cases," Chambers said. "That only happens when those cases enter our process through a very narrow portal, the records division, which unfortunately isn't open 24-7."

The change in policy did not sit well with local newspapers and television representatives who voiced their con-

cerns to Chambers during a recent meeting. Said the Herald-Sun's assistant managing editor, Rocky Rosen: "We don't think it's reasonable for homeowners to have to wait three or four days to learn that there's been a rash of break-ins in their neighborhood or car vandalism or any other type of crime. They should be able to know that as soon as possible."

While Chambers said she does not want to go back to the old system, she is willing to hear suggestions, and members of the media have offered to research how other department deal with

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Around the Nation

Northeast

CONNECTICUT — Former Hartford police officer Salvatore Gallo was sentenced on Jan. 10 to a maximum 10-year prison term for twice sexually assaulting a woman inside his patrol car. U. S. District Judge Alvin W. Thompson explained the severity of the sentence by pointing out that Gallo repeatedly lied during his trial. Gallo ordered his victim, an admitted prostitute and drug addict, into the patrol car under threat of arrest.

DELAWARE — The U.S. Justice Department is suing the State Police after a three-year investigation showed that the police used testing methods that discriminated against black applicants.

DISTRICT OF COLUMBIA — The number of homicides in the District fell last year by 2.5 percent, to 236, the lowest number in 13 years.

NEW HAMPSHIRE — Veteran Wolfeboro police Lieut. Robert Tierney Jr. was indicted Jan. 10 on 337 counts of aggravated felonious sexual assault, 96 counts of felonious sexual assault, and 112 counts of misdemeanor sexual assault, for allegedly molesting two young boys hundreds of times over the course of several years in the 1980s. The case will be prosecuted by the Strafford County Attorney to avoid a conflict of interest for local prosecutors in Carroll County.

NEW JERSEY — A Superior Court judge has upheld the 1999 dismissal of Montclair Township police officer Alan J. Jackson after two women accused him of criminal sexual contact and official misconduct. Federal civil suits brought by the two women were settled out of court in March 1999.

Lawyers for a 10-year-old sex offender presented arguments before the state Supreme Court Jan. 29 to seek an exemption for their client from the state's Megan's Law. Under the law, which does not make allowances for juvenile offenders, the boy's school should be notified and he has to register with the police every year. Lawyers argued that the boy, who is now 15 or 16, deserved the same protection offered for juveniles who commit other crimes. The court has reserved its decision.

Thomas Trantino, 63, one of the state's most notorious inmates, was transferred to a halfway house in Camden on Feb. 11, after several facilities in the state had refused to accept the dual cop killer. Although required under contract to accept any prisoner released by the state, the facilities were afraid to admit Trantino, who was released after 37 years in prison and nine previous denials of parole, for fear that there could be violent repercussions that would place staff members and other residents at risk. Correctional officials in other states had also reportedly refused to accept Trantino, who shot two Lodi police officers in 1963.

NEW YORK — Former Suffolk County police officer Teddy Hart was sentenced Jan. 25 to three years probation for using police computers to obtain the phone numbers of women and

then harass them. Hart had pleaded guilty in November to eight counts of aggravated harassment, computer trespass, and official misconduct. He was also ordered to enroll in a sex offenders program.

Investigators say that there appear to be inconsistencies in the stories told by two of the women who have accused Suffolk County officer Frank Wright of forcing them to strip at traffic stops. An unidentified source said that one of the women, Angelina Torres, failed a polygraph test and that a map made by a global positioning system in Wright's patrol car showed that he did not drop her off the "five blocks" that she claims to have walked in her panties. The GPS and corroborating evidence also ostensibly show that Wright's car was not where another alleged victim, Susan Pannone, claims she was victimized. In the meantime, two other women have come forward with allegations, bringing the total number of accusers to 12.

Rape and sodomy charges against former Nassau County police officer Jay Seifert were dismissed on Feb. 2, and a grand jury indicted him on lesser charges of coercion, receiving a bribe and official misconduct. Seifert, who was accused of pulling over a car and then coercing the passenger to have sex with him, testified that the sex was consensual. In another Nassau case, Officer Matthew Murphy has been charged with two counts of sodomy in separate incidents in which he allegedly forced female motorists to perform oral sex. Murphy said that in one instance, the sex was consensual and that it was part of a long-term affair he was having with the accuser. He has denied any involvement in the other case.

FBI agents have met with temporary Wallkill Police Chief John Beairisto to begin a preliminary investigation into the town police department. Beairisto, a 23-year veteran of the state police, was appointed after state Attorney General Eliot Spitzer said the department was out of control and riddled with corruption. A lawsuit filed by Spitzer alleges that several rogue officers menaced, intimidated and sexually harassed residents.

In an unusual move, New York Police Commissioner Bernard Kerik has reversed himself and ordered the rehiring of Lieut. Wilfredo Maldonado, a former board member of the Latino Officers Association, who had been fired last year for testifying at a legal proceeding in 1997 without getting permission from the department. Apparently, upon review, Kerik decided that the charges were not significant enough to warrant dismissal. Supporters claim that Maldonado was singled out in this case to undermine the association.

PENNSYLVANIA — Police in Lancaster, armed with tree trimmers and the permission of the local cable television company, are going after sneakers tossed over utility lines. Mayor Charlie Smithgall believes the sneakers are just plain unsightly, but Police Chief William Heim thinks they may be more than that — an advertisement signifying that drugs can be purchased in a neighborhood.

State Police Capt. Darrell G. Ober is seeking unspecified punitive damages in a lawsuit against state police com-

missioner Paul Evanko, three of his deputies, and the governor's chief of staff, Mark Campbell. The suit alleges that they tried to ruin Ober's career and authorized an internal investigation of him after he cooperated with an FBI probe into alleged corruption. The corruption investigation had resulted in charges against one state trooper, Kipp Stanton, for allegedly trying to bribe a state legislator to get a friend a job.

RHODE ISLAND — Legislation has been proposed that would require handgun manufacturers to give the state a shell casing and bullet from each new weapon sold in order to make it easier to track a weapon if it is used in a crime. Opponents say that the cataloguing requirements would be too costly.

VERMONT — The Barre Police Department has teamed up with the local Elks lodge to provide equipment and training to help teach high school students about the dangers of drunken driving. Students will ride adult-size tricycles through an obstacle course while wearing "fatal vision goggles" that simulate visual impairment, and then watch themselves on videotape to see how they performed.

Southeast

FLORIDA — Two men were nabbed by Tallahassee police when they returned to a house from which they had allegedly stolen two televisions. Apparently, they had forgotten the remotes and were going back for them. The two men have been charged with burglary.

Ricardo and Josefa Davila will spend the rest of their lives in jail for disciplining their 11-year-old son by ripping off his toe nails, dropping a sledgehammer on his feet, and making him eat his own vomit. The couple, who are Nicaraguan immigrants, claimed that they were trying to keep their son from becoming a delinquent. Punishments such as the ones they imposed on the boy are not unusual in Nicaragua, they said.

The Hallandale Beach police headquarters is having a problem with rats — not criminal informants, but the four-legged variety. Officials say the rodents first appeared a few weeks ago when the weather grew cold. They climbed palm trees adjacent to the building and dropped to the roof, squeezing through a vent. An exterminator reported that he has already captured eight inside the building and he suspects there are more.

In Lakeland, 16 closed-circuit cameras installed in six locations around the city have been credited with lowering crime. Police Lieut. Randy Harrison said that those monitoring the video screens have seen vehicle accidents, burglaries and other crimes. But the real benefit, he said, is the deterrence of crime by the mere presence of the cameras.

GEORGIA — Lieut. Cliff Tackett of the state Department of Transportation's Enforcement Office in East Atlanta was recently elected president of the National Internal Affairs Investigative Association. Tackett is also a former president of the Georgia Peace Officers Association.

LOUISIANA — New Orleans police officer George Lee III, who is accused of kidnapping and raping five women, was fired Jan. 5, for "failure to maintain standards to perform" as a police officer. On Jan. 22, Lee's fourth trial on the charges got underway. Three earlier trials ended in mistrial. Lee is currently in jail for violating a court order forbidding him to have contact with any of his accusers.

Recently retired New Orleans police officer Frederick Terluin is being investigated for possible payroll fraud. It is alleged that Terluin falsified the records to collect extra money for working on a state-administered grant. In a separate inquiry, a second traffic division officer is being investigated for allegedly falsifying his activity reports. The irregularities have prompted Superintendent Richard Pennington to transfer two supervisors and to consider making other supervisory changes in the traffic division.

The Baton Rouge Municipal Fire and Police Civil Service Board on Jan. 18 upheld the firing of police officer Michael Shane Stewart for firing a shot into a neighbor's apartment while practicing his "quick-draw" technique. In 1998, Stewart had accidentally fired into the neighboring apartment while dry-firing what he thought was an unloaded gun. Police Chief Greg Phares said that Stewart was otherwise an excellent officer, but that if he remained on the job, it would create a serious liability problem if he should be involved in another shooting incident.

SOUTH CAROLINA — Officials say the number of Highway Patrol troopers is inversely proportionate to the number of road deaths. Since 1991, the number of troopers has fallen nearly 11 percent while road deaths increased 31 percent. While attrition has slowed somewhat, low pay and long hours make it hard to keep troopers. With an impending \$500-million state budget cut next year, legislators say, there will not be much money for new hiring.

VIRGINIA — An entire class of the Virginia Beach Police Academy has sued Virginia Beach for violating federal labor laws by not paying for overtime at the academy. Andrew M. Sacks, the attorney for the 22 officers who graduated in June 1999, said that the city took advantage of recruits who didn't know any better. In recent years, every city in the Hampton Roads area of the state has been hit with police overtime lawsuits, some of which resulted in substantial settlements.



Midwest

ILLINOIS — A Belleville police officer used a non-lethal bean bag gun to knock down and disarm a 10-year-old boy who was pointing a gun at police. The boy was not seriously injured. His father owned the handgun and claimed to have reported it stolen to police in St. Louis, although no record of a report had been located.

A count of aggravated criminal sexual abuse has been dropped against a Honolulu man, Robert E. Booth, because the Carpentersville police investigator

who was posing as a 14-year-old girl on the Internet sounded too sexually experienced. Booth, who still faces another count of criminal sexual abuse, was charged after arranging to meet a girl named Karen, whom he allegedly believed to be a teenager, for the purpose of having sex. Karen was really played on-line by undercover Carpentersville police Lieut. Anthony DePippo. At the arranged rendezvous, police arrested Booth.

Darrell Cannon, who is currently serving life in prison for murder, may be released in three years after serving a total of only 20 years if he agrees to drop allegations that he was tortured by Chicago police detectives. Cannon claims that detectives, led by Lieut. Jon Burge, put a shotgun in his mouth and used an electric cattle prod on his genitals. Burge was fired in 1993 after an investigation found that officers under his command engaged in systematic physical abuse of suspects. The judge's decision may have been made to avoid testimony by Aaron Patterson and Stanley Howard, who are both on death row and claim to have been tortured by police under Burge's command.

Chicago police officers on Jan. 12 overwhelmingly rejected a proposed four-year contract that would have awarded them 16-percent raises in exchange for reforms in the police deployment and disciplinary processes. In voting by a margin of more than 2-1 to defeat the agreement, rank-and-file officers opted to take their chances with an arbitrator. Fraternal Order of Police president Bill Nolan blamed internal union politics for the outcome of the vote. Chicago police officers have been without a contract since June 30, 1999.

INDIANA — A former Porter County sheriff's deputy, Robert Gannon, has been charged with four counts of child molestation in his squad car. Gannon denies the charges.

The college town of Bloomington, home of the main campus of Indiana University, has reportedly become a lucrative market for crack cocaine dealers from Detroit, who can get \$50 a rock as opposed to \$10 in Detroit. Over the past year in the Monroe County court system, 7 of the 18 convictions for cocaine possession or dealing involved defendants from Detroit.

MICHIGAN — Veronica and Priscilla Robinson, twin sisters who were formerly Detroit police officers, pleaded guilty Jan. 8 and admitted to receiving a copy of a police promotional exam before taking it. Another officer, Terrance McLeod, received a 30-day suspension, after agreeing to testify against a fourth officer, Jose Hardrick. Several others are under investigation for having scored well over 150 on the April 1997 exam — a score that officials say is extremely rare. All the officers are close associates of former chief Isaiah McKinnon. Hardrick maintains that McKinnon gave him the test materials, but McKinnon, who paid for and passed a lie detector test, denies any knowledge or involvement.

OHIO — Toledo police records and photos of the city's crime families compiled between 1975 and 1981 have been reported missing. Police Chief Mike Navarre, who said the records represent an important link to Toledo's crime past,

never gave an order to destroy the records. A retired police captain, Tom Purcel, said the collection was so extensive that it would literally have taken a truck to haul the records away. Under Ohio law, public agencies must notify the Ohio Historical Society before destroying public records.

A federal appeals court on Jan. 19 reversed a lower court and endorsed the city of Cincinnati's proposal to pay officers who care for police dogs at home the equivalent of two hours overtime a week. The officers, who say they spend at least one hour daily caring for the dogs, volunteer for the assignments and undergo training. The three-judge appellate panel ruled that the city's pay plan was reasonable and permissible under federal labor law. The judges observed that "canine handlers and their families enjoy a highly trained family pet largely at city expense."

A federal judge ruled Jan. 11 that preventing a Hamilton County jail inmate from getting an abortion is unconstitutional. Sheriff Simon Leis Jr. had argued that the prisoner had no right to an abortion because it is an elective procedure.

WISCONSIN — Milwaukee Police Officer Terrence Gilbert was charged Jan. 29 with misconduct in public office and fourth-degree sexual assault. According to the complaint, Gilbert stopped a woman's car and after finding several used marijuana cigarettes, he had her get into his squad car where he "examined" her, forcing her to lift her shirt and bra. He then threatened to cite her for marijuana possession and to tell her father if she didn't agree to come to a party the next evening and perform a lap dance for him. They arranged a rendezvous but the woman called the police before meeting him and he was arrested by another officer.

State Representative Pedro Colon, who represents Milwaukee, says that the state Department of Corrections is dumping all of its sex offenders on the city's south side. Colon discovered that 17 sex offenders were residing in one rooming house. A corrections official said, however, that with the La Causa Day Care Center building a facility for 300 children one block away from the boarding house, the sex offenders are being phased out of that rooming house.

Authorities are in a quandary about which jurisdiction is responsible for investigating the death of Ricky D. Larson, who was found shot to death in his pickup truck on or near the municipal boundary line between the city of LaCrosse and the town of Onalaska, which is patrolled by the LaCrosse County sheriff. Before starting the investigation, city engineers must survey the site, so officials can determine which jurisdiction's law enforcement agency should handle the case.

Plains States

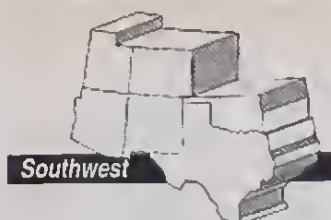
IOWA — A Cedar Rapids police dog, Danny, was attacked by a pit bull while officers were arresting a man on drug charges. Police shot and killed the pit bull. Danny is recovering at a veteri-

nary clinic.

As part of a series of initiatives to combat child abuse, the state Senate has approved a measure giving police the authority to charge live-in boyfriends, and other caretakers in a child's home, such as grandparents or other relatives, with child endangerment. The initiative came after the beating death of 2-year-old Shelby Duis by the live-in boyfriend of the boy's mother. The mother, Heidi Watkins, was sentenced to up to 50 years in prison for child endangerment causing serious injury. Her boyfriend, Jesse Wendelsdorf, was acquitted of murder and sex abuse charges. The bill now moves to the full House for consideration.

MINNESOTA — Despite a mood of fiscal conservatism in the state, Gov. Jesse Ventura is supporting the police, judges and other authorities who want \$41.5 million for the CrimNet initiative that would rebuild the court information system and link the criminal records systems of law enforcement agencies.

WYOMING — Two-thirds of Casper's 72 police officers have signed cards in support of unionizing to obtain better pay and benefits. City Attorney Jack Stewart said that state Supreme Court case law allows only for firefighters to bargain collectively, but representatives of Operating Engineers Local Union No. 3, which is wooing the police, believe that Stewart's position is only opinion and point out that other cities have collectively bargained with the United Mine Workers of America.



Southwest

ARIZONA — A Fresno, Calif., woman, 19-year-old Valerie Suarez, has admitted to Chandler detectives that she fabricated a sexual assault story in order to get medical attention after having what was, in fact, consensual sex. Although she will be charged with false reporting and the department will seek civil restitution for the cost of the investigation, the false report did bring to light the need to clarify some police procedures on reporting crimes like sexual assaults.

Prescott Valley Police Chief Daniel Schatz is defending his officers' actions after city officials criticized police for their decision to chase a man fleeing in a stolen vehicle into the downtown area. The driver of the vehicle hit a truck at an intersection, killing three people. The chase began when a police officer approached the man outside a convenience store after identifying the stolen vehicle. The man drove off, striking and injuring the officer, who managed to shoot the suspect. Three officers pursued the stolen vehicle. Schatz said his officers were "chasing a violent, fleeing felon, and we were making every attempt to take him into custody."

COLORADO — Three more Douglas County sheriff's deputies, Sgt. John Rose, Deputy Kurt Scheuermann and Sgt. Darren Lantz, are facing charges in connection with an incident involv-

ing police officers having sex with a teen-age Police Explorer. Court summonses issued Jan. 18 allege that the three knew about the misconduct of fellow officers Mark K. Conrad and William A. Steinmeyer and chose to ignore it. Steinmeyer has resigned from the sheriff's department and the other four are on paid leave.

On Jan. 27, police from departments nationwide gathered to pay tribute to Colorado State Patrol trooper Jason Manspeaker, who died in a car crash Jan. 23 while following up on a lead in the pursuit of two of the seven escaped Texas convicts. Donald Newbury and Patrick Murphy were taken into custody the next day; four of the other fugitives had already been arrested, and the seventh killed himself.

NEW MEXICO — Santa Fe Municipal Judge Frederick Arnold has been reprimanded by the state Supreme Court for misconduct for letting police draw happy or frowning faces on traffic tickets to describe a driver's attitude. A judicial commission said that the cartoons constituted a one-sided communication between officer and judge.

OKLAHOMA — Tulsa District Attorney Tim Harris is under pressure to indict former Boston-based FBI agent H. Paul Rico for the 1981 murder of a multimillionaire jai-alai fronton owner, Roger Wheeler. Rico has been implicated by a former organized-crime hit man, John Mortorano, who has testified that he did the actual killing on orders from the agent after Wheeler finished a round of golf at a Tulsa country club. Mortorano testified that the hit was ordered when Wheeler became suspicious that members of Boston's Winter Hill Gang may have been skimming profits from the jai-alai business. Although Rico's attorney believes that Mortorano, who has been guaranteed placement in the witness protection program, may be implicating Rico just to win some revenge against a law enforcement officer, some investigators find aspects of the story plausible. Some officials believe that Harris may be hesitant to take any action against Rico until he has an airtight case.

TEXAS — Gregg County Deputy Sheriff Vance Clements died Feb. 1 when he lost control of his patrol car while responding to a disturbance call, and crashed into a tree.

A plan to dismantle El Paso's Community Response Against Street Hoodlums (CRASH) program is being criticized by school administrators and some city officials, as it comes on the heels of a reportedly gang-related drive-by killing of a teen-ager. Under the plan, 112 officers from the specialized anti-gang unit and two other units will be reassigned to patrol duties. Mayor Carlos Ramirez is defending the proposal as a way of putting more people on patrol, in keeping with the community policing philosophy.

Waco's Assistant Police Chief, Larry Kelley, was arrested in Austin Feb. 1 for driving while intoxicated. Kelley was attending a statewide police chiefs association conference at the time.

San Antonio police officer John Anthony Riojas was shot on Feb. 2 and died when his family took him off life support. Riojas, a member of the Street

Crimes Arrest Team, was shot after struggling with a man he had chased on foot. Riojas was the fourth San Antonio officer to die in the past 45 days.

A veteran Fort Worth police man, Emesi Herrera, was fired Jan. 25 for "a lack of moral character" in allegedly taking advantage of an emotionally disturbed 18-year-old woman. Herrera met the woman when her father took her to the police station after she threatened to commit suicide. The woman alleges that Herrera gave her his address and phone number after taking her for psychiatric care. The woman called him and he took her to his apartment where he allegedly encouraged her to drink too much, had sex with her and then took her to a shelter. Herrera's lawyer said that her client's relationship with the woman was consensual.

The Cedar Park Police Department's new German shepherd, Rex, is a dual-purpose K-9, trained to accompany his new partner, Officer Sean Stout, on daily patrols and to sniff out drugs as well as find missing people. Russ Hess, executive director of the U.S. Police Canine Association, explained that dual purpose dogs cost more to train than single purpose dogs but in the long run save money because they require only a single handler and vehicle.

The Texas Senate Jurisprudence Committee voted unanimously Jan. 29 to allow people in dating relationships to obtain court orders from lovers who threaten violence. Committee members heard tearful testimony from a woman whose daughter had sought protection from her threatening ex-boyfriend and was turned down repeatedly by police because the family violence law didn't apply to her. The victim and her current boyfriend were ultimately shot and killed by the man.

UTAH — The number of Utah County residents seeking treatment for methamphetamine abuse has increased by 5,000 percent, to 400, in the last 10 years. Salt Lake County reported the highest number of meth-treatment admissions in the state, with over 1,800.



Far West

ALASKA — Kim Cook received a 99-year sentence Jan. 23 for fatally shooting Palmer police officer Jim Rowland Jr. two years ago. Prosecutors said that Cook, who shot Rowland when the officer approached him as he was napping in his truck, hated police officers and was afraid he'd be arrested for driving with an expired license.

CALIFORNIA — An internal police investigation has concluded that two young Oakland officers, Tim Scarrott and Andrew Koponen, acted properly when they fired 11 shots and killed undercover Officer William Wilkins. The officers mistakenly concluded that Wilkins was about to shoot a suspected car thief he held at gunpoint. Wilkins was the first Oakland police officer to be killed on duty by a fellow officer.

Cigarette robberies at convenience stores and gas stations in La Mesa, El

Cajon and unincorporated east San Diego County communities have prompted a meeting among area officials to discuss the increasing frequency and violence of the crimes. Cigarettes have been hot items for thieves for the past few years, and some are blaming the increasing costs brought on largely by high taxes. The police don't know whether the cigarettes are being resold locally via retail or the street, or are being taken back to Mexico.

Police arrested a 19-year-old De Anza Community College student after a tip from a photo lab clerk led them to an arsenal of bombs, booby traps and notes indicating that he intended to plant the explosive devices on the school's campus. The police also found a tape recording in which the student, Al DeGuzman, expressed sympathy with the hoys in the 1999 Columbine High School attack in Colorado. The photo clerk, who is the daughter of a San Jose police officer, called police after developing photos of DeGuzman posing with his arsenal.

Oakland police officer Frank Vazquez, one of the officers facing criminal charges for beating people and planting evidence in "The Riders" case, is facing a new civil rights lawsuit in which a man claims that the officer threatened to frame him unless he agreed to buy drugs for him. The attorney for the plaintiff said that it appears that these drugs were used by the police to plant on other individuals.

OREGON — David B. Miller, a former employee of crews building an incinerator at the Umatilla Chemical Depot, was shot and wounded during a standoff with police as he loaded his pickup truck with an "unbelievable arsenal" of rifles, ammunition and handguns. The police were responding to a call from depot officials who reported that Miller had made threats. FBI agents, state police, Pendleton police and tribal police were dispatched to his home. A witness said that the police identified themselves but that Miller would not drop his rifle.

WASHINGTON — Thurston County Superior Court Judge Gary Tabor set \$50,000 bail for state trooper Jon C. Nelson, who pleaded not guilty to charges that he forced a woman to have sex with him to avoid a ticket. Following his arrest, Nelson was placed on administrative leave.

Steilacoom Police Officer Samuel Nelson has pleaded not guilty to attempted rape and other charges after being accused of demanding oral sex from a teenage boy.

A federal judge has dismissed an \$11.75-million lawsuit filed by former Bremerton assistant police chief Henry Mincey, in which he accused the city of racial discrimination for demoting and later firing him. The judge cited a series of promotions prior to the firing as proof that the city did not discriminate against him.

Pierce County prosecutors have charged Kevin David Dye with rape, robbery and kidnapping for allegedly raping a woman while posing as a police officer. Dye, who used a stun gun and a handgun to rob and rape the woman, is suspected of raping as many as 13 women.

People & Places

Getting the boot

Los Angeles Police Commission president **Gerald Chaleff** was apparently not forceful enough to suit Mayor **Richard Riordan** when it came to urging police officials to boost morale, recruitment and community policing efforts. This month Riordan fired the commissioner in a controversial move that left some wondering whether the ouster was an attempt to prevent implementation of reforms mandated by a federal consent decree.

"As much as any current commissioners are reformers, Gerry Chaleff would be chief among them," former commissioner **Gary Greenebaum**, who served as Riordan's first Police Commission president, told *The Los Angeles Times*. "I don't see what problem is solved by firing Chaleff. Whenever the politicians start muscling the Police Commission, something bigger is up."

Ann Reiss Lane, a commissioner during the administration of former mayor **Tom Bradley**, called Chaleff's firing "unbelievable." Said Lane: "This is sort of in defiance of the independent civilian oversight and that is trouble to me."

The decision by Riordan to oust Chaleff five months before the end of his term shocked some city officials. The mayor defended the action by saying that he wanted a civilian leader who could stand up to Police Chief **Bernard C. Parks** and deal with rising crime and a drop in the number of arrests.

"He's not a scapegoat," Riordan said of Chaleff. "I think he's been the right leader on reform. Now we need leadership that will look at the problems of safety in our city."

According to top mayoral aides, who spoke with *The Times* on condition of anonymity, Parks has been more responsive than Chaleff in discussions

with Riordan and his advisers on the issues of recruitment and morale.

Chaleff's efforts were characterized by aides as well-meaning but ineffective in addressing those problems, as well as the community policing effort. Critics of Chaleff said he did not cultivate relationships with rank-and-file officers or department leaders.

But some observers have questioned why Chaleff and not Parks has been held accountable for the problems within the department. Parks, they point out, was recently given two 5-percent salary increases.

"If there's a woodshed needed, then both need to be woodshedded," said one source quoted by *The Times*. "You don't do it by firing the commission president."

Popular choice

Anchorage Police Lieut. **Walter C. Monegan**, a 27-year veteran, was tapped last month as the city's new chief, much to the delight of the agency's rank-and-file, who had been early supporters of his selection.

He was among a half-dozen top candidates interviewed for the post, including Deputy Chief **Mark Mew**. "This was not an easy decision," Mayor **George Wuerch** told *The Anchorage Daily News*. "I wanted to make some changes. I wanted to take a little risk, to step outside the box a little bit."

The 49-year-old Monegan said he was both flattered and surprised by Wuerch's "picking me out of the crowd."

"He sees things in me," said Monegan. "I do not want to disappoint him, nor do I want to disappoint my co-workers nor this community." If he is confirmed by the Anchorage Assembly, as several of that body's members anticipate, Monegan will have leaped not over just Mew, but over the agency's



Monegan
Playing leap-frog

captain as well, into the \$87,000-a-year job.

The early support for the new chief could not contrast more starkly with the discord that followed the selection four years ago of **Duane Udland**. Udland was considered by some to be a cold-hearted autocrat, whose tenure was marked by morale problems and controversy. Udland said in December that he would be stepping down.

Monegan, who is well-liked and respected as a supervisor, is called an "alternative cop" by his officers because he thinks of different ways of solving problems, said Sgt. **Gary Apperson**. For example, when Apperson was working on a police protocol for responding to reports of missing children, it was Monegan who suggested getting community patrols and taxi cabs included in the searches.

Among the changes the new chief is considering is the re-establishment of certain specialized detective units, such as homicide, crimes against children and burglary, that had been dismantled in recent years. Under the current system, a detective investigating a burglary in one part of town may not

realize that similar crimes are being committed in another section of city.

Monegan said he would also look into what type of work schedule works best. The union had won the right to go back to a system of four 10-hour workdays after former mayor **Rick Mystrom** had forced a change to a five day, eight-hour week. In 1996, Monegan had suggested that officers work three 12-hour shifts.

"We've been a train on the wrong track going in the wrong direction for too long," said Det. **Linda Branchflower**.

Looking within

While Hawaii County officials were urged to select an outsider who suffered no taint from a promotion rigging scandal that led to the retirement of Chief **Wayne Carvalho** last year, they chose acting Chief **James Correa** last month to lead the county police department on a permanent basis.

Correa, 47, said he had no plans for a major overhaul of the 300-member department. A 25-year veteran of the agency, he was appointed deputy chief in 1995. Among the tasks that he said will top his agenda will be earning national accreditation and developing a new hiring and promotional system. Big Island Mayor **Harry Kim** imposed a temporary freeze on all such personnel actions until a new plan can be approved by the county's civil service department.

Last year, a Big Island jury awarded more than \$4 million in damages to 19 current and former officers who said they had been cheated out of fair promotions. Carvalho, who was one of the defendants, was criticized for his role in the scandal, although it had taken place under a previous chief.

Correa was selected by the county Police Commission over Honolulu Po-

lice Maj. **Robert Prasser**, whose status as an outsider, some believed, would give the department a fresh start. But Correa received strong praise from several retired officers, state officials whose agencies worked with the department and a union official who attended public hearings held by the police commission.

An act of Providence

Providence, R.I., has a new police chief, but whether he serves on an interim or permanent basis depends on whether one asks the mayor or state officials, who persuaded the city to conduct a nationwide search for an outsider who would have no risk of tarnish from numerous recent scandals.

In an effort to quickly fill the leadership vacuum left by former chief **Urbano Prignano Jr.**, Maj. **Richard T. Sullivan** was sworn in on Feb. 1, the choice of Mayor **Vincent A. Cianci Jr.** There is widespread support, however, even within the city's police union, for a broader search, although it is unclear whether the City Charter will permit an outsider to take the post.

Prignano served for five years, the longest tenure of any Providence chief in recent memory, but his years as a leader were turbulent. In one of the more recent incidents, a lieutenant had told the FBI that Prignano had ordered him to help favored officers cheat on a promotional exam. Then there was a controversy involving off-duty officers who had threatened a parking lot attendant with a baseball bat and gun for charging a fellow officer \$6 to park.

According to a report in *The Providence Journal-Bulletin*, state Attorney General **Sheldon Whitehouse** had sought Prignano's resignation and worked behind the scenes to engineer his departure. Prosecutors were reportedly encountering juries skeptical of police testimony, and Whitehouse himself was criticized after the death of Sgt. **Cornel Young Jr.**, a young black officer who was mistakenly shot by two white colleagues.

On Nov. 20, the police union called on Prignano to resign, saying he had lost the ability to lead.

The last straw for the former chief was when it seemed he had lost the strong backing he had always enjoyed from City Hall, said *The Journal-Bulletin*. Said Cianci: "I told him he should consider his future — as a friend, I told him. But I wasn't the one who pressed him to leave." Prignano retired in December.

While Cianci sought a permanent appointment for Sullivan, who has a reputation as a taskmaster, the mayor agreed with the attorney general's demand that the city conduct a nationwide search. To oppose Whitehouse, he told *The Journal-Bulletin*, would "not have sent a good signal." And even Sullivan agreed to remain chief while a permanent replacement is sought.

Within days of his appointment as interim chief, Sullivan chose Maj. **Cornel Young Sr.**, the department's highest-ranking minority officer, as his top assistant.

Young said he has struggled with returning to work after the death of his son in January 2000. But he had pledged to work with Sullivan, who has been a friend since childhood.

Now you see them, now you don't

Local officials in **Dinosaur, Colo.**, believe that it was former police chief **Darrell Murphy's** lack of training, not avarice, that led him to break the law.

Murphy, hired in 1998 with just several months of law-enforcement certification training and a short stint as a volunteer reserve officer in **Fort Collins** under his belt, was sentenced in February to two years probation after he pleaded no contest to charges of embezzlement, official misconduct and illegally issuing concealed-weapons permits.

Although state law does not allow marshals to issue permits to carry concealed weapons in towns of fewer than 2,500 residents, Murphy did so on the advice of a former mayor and council members. He put the payments into an office fund. There was no evidence that he pocketed the money for personal use, said investigators.

Murphy was one of five chiefs who have come and gone in the town of 300 in the past eight years.

"I think they just put a guy without proper training out there," said Mayor **Clinton Morrill**, who was not in office when Murphy was hired.

Said Moffat County Sheriff **Buddy Grinstead**: "Unfortunately in these small towns, you're not able to get top-quality applicants. And people don't stay."

Among other police departments in transition in recent weeks was the **Lincoln, N.D.**, force, which lost its police chief when **Brian Kocher** quit after the City Council declined to restore a cost-of-living raise for employees.

But money was only part of it, said the 27-year-old Kocher. In three and a half years with the department, the last two and a half as chief, Kocher said he had taken only a few vacation days, with 190 hours accumulated. "How does a guy take a vacation?" he asked. "You can't."

During a four-hour council meeting, members brought up the issue of overtime, a subject that Kocher thought he had explained to their satisfaction back in August. A policy of no more than five hours of

overtime per officer per month was proposed, but tabled by a vote of 4-2.

Departing under far more favorable circumstances, **Bow, N.H.**, Police Chief **Peter Cheney** said he will turn in his badge on Feb. 23 after a 27-year career with the agency.

"I've spent more than half my life in law enforcement, so this was a hard decision to make — but I'd been thinking about retiring for a while," he told *The Manchester Union-Leader*. "My kids have never known me as anything other than a cop. It's a life-altering decision, and it will be an adjustment for sure, but I'm looking for a little peace and relaxation."

Cheney announced his departure three days after the official retirement of Deputy Chief **Robert Graves**, his friend and partner. The two had served the community as a team for 21 years.

In **Lafayette, La.**, Chief **Charles Crenshaw** said he will retire on March 8, and Maj. **Ralph Peters** will serve as interim chief. Peters, a 28-year veteran, currently commands the department's Criminal Investigations Division. City-Parish President

Walter Comeaux said he expected eight eligible applicants from both inside and outside the department for the permanent appointment.

The **Bullhead City, Ariz.**, council this month approved the appointment of Deputy Chief **Rodney Head** as chief. A 15-year veteran, Head replaces **Glenn Walt**, who did not seek renewal of his contract after five years.

In **St. George, Utah**, **Marlon Stratton** was appointed police chief in February after serving in the job for two months on an interim basis. He succeeded **Robert Flowers**, who had been named state commissioner of public safety.

Newark, Ohio, also got a new police chief in February, when retired Columbus police commander **H. Darrel Pennington** succeeded **Paul Green**, who retired last October. A 30-year veteran of the Columbus force, Pennington had been deputy director for major crimes at the state Bureau of Criminal Identification and Investigation since 1997.

A new hand on Justice's tiller

Ashcroft survives Senate scrutiny to become nation's new top lawman

While he has opposed tighter federal gun-control measures throughout his career, newly confirmed U.S. Attorney General John Ashcroft has chosen as one of his first initiatives a plan to intensify Richmond, Va.'s much-copied Project Exile program, which requires federal involvement in gun violations that meet certain criteria.

The plan would have the support of both the National Rifle Association and gun-control advocates, who have cautiously praised Project Exile while being among the most vociferous opponents of Ashcroft's nomination. A former governor, state attorney general and U.S. senator from Missouri, Ashcroft won a bitter Senate confirmation battle on Feb. 1 by a vote of 58-42, drawn largely along party lines.

Ashcroft is a staunch conservative who opposes abortion rights and supported a constitutional ban on abortion while in the Senate. As Missouri's governor, he banned public medical facilities from performing the procedure and attempted to prohibit women from having more than one abortion in a lifetime except for cases where health was a factor.

While a senator, he also opposed extending hate-crimes protection to homosexuals and voted against expanding such laws to make it easier for federal prosecutors to try such cases. As governor, however, he did sign a 1988 law that increased the penalties for bias-motivated crimes.

During his first few days in his new job, Ashcroft has come out as a strong opponent of racial profiling, saying: "I certainly would like to find a way to be absent that kind of



GETTING DOWN TO BUSINESS: Attorney General John Ashcroft (center), accompanied by aides, arrives for his first day of work at the Justice Department on Feb. 2, following his confirmation by a sharply divided Senate.

practice. It's wrong, inappropriate. It shouldn't be done."

In the weeks before the confirmation hearings, gun-control groups railed against Ashcroft. Said Michael Barnens, head of Handgun Control: "He voted against common-sense gun measures at every opportunity. How can we expect this man to support and defend

laws he says have no value?"

Ashcroft has been closely affiliated with the NRA for years. In 1999, he was featured in radio ads promoting Missouri's referendum in favor of carrying concealed weapons. Ashcroft assured state residents in the spots that the proposal had "plenty tough" safeguards, including background checks and mandatory

training. The NRA contributed \$50,000 directly to Ashcroft's Senate campaign against the late Gov. Mel Carnahan, and also spent \$339,237 on independent polling and advertising on his behalf, according to election records reported by The Philadelphia Inquirer.

As a senator, Ashcroft opposed legislation that would require firearms dealers to sell handguns with safety locks. He also opposed a ban on assault weapons when he was running for the Senate in 1994.

At the same time, he has also supported tougher criminal sanctions against criminals convicted of weapons violations, and laws prohibiting the possession of firearms in the vicinity of a school.

Ashcroft is expected to announce the broad outlines of his Project Exile-type program soon. "That is an idea that we are aggressively going to push," his chief of staff David Israelite, told The Kansas City Star. "It is a national program of providing the resources and guidance necessary to really crack down on gun crimes. I think it will be one of the top priorities of his administration."

Details of the plan will come later, Israelite said.

Project Exile, whose creators were the winners of Law Enforcement News's People of the Year 1999 award, began in 1997 after Richmond posted a record 140 homicides in 1994, the highest per-capita murder rate in the country at that time. One year into the program, homicides had fallen to 94 and more than 500 guns had been taken off the street.

Appalachian headache:

Prescription cancer drug is narcotic of choice

Just as America's heartland has intractable problems with methamphetamine, now the eastern regions of Appalachia appear bedeviled by a substance known as OxyContin. The powerful narcotic, which is usually prescribed for cancer patients, has pushed aside marijuana, cocaine and other narcotics as the drug of choice for addicts and teenage abusers, according to law enforcement officials in dozens of rural areas from Maine to West Virginia.

The active ingredient in OxyContin is a morphine-like substance called oxycodone, also found in the prescription drugs Percodan and Tylox. But unlike those, which need to be taken in repeated dosages, OxyContin is in a time-release formula that is effective for up to 12 hours. Experts say, however, that addicts can achieve an intensely pure high by crushing the pills and snorting or injecting them. A telltale piece of paraphernalia among adolescent users is a pill crusher sold by drug stores to help elderly people swallow their medication, said Capt. Minor Allen of the Hazard, Ky., Police Department.

"Heck, we already know it's pretty epidemic down here," he told The New York Times. "Abuse of this drug has become unbelievable in the last year, with probably 85 to 90 percent of our field work now related to OxyContin," said Allen, using the drug's street name.

According to federal data, emergency room visits involving the drug remained stable from 1990 to 1996, but have since doubled from 3,190 that year to 6,429 in 1999. Deaths attributed to OxyContin have also increased. Since

January, it is believed to have caused 59 deaths in Kentucky.

The problem is so urgent that Joseph L. Famularo, the United States Attorney for Kentucky's western district, directed a nine-month investigation that produced the biggest drug raid in Kentucky's history. Operation Oxyfest 2001 resulted in the arrests of more than 200 suspects, ages 20 to 65. At least one was pushed into jail in a wheelchair.

"We caught 207," Famularo told The Times. "We didn't catch half of them; that's how pervasive this thing is."

As to why OxyContin has spread throughout the Appalachian region and

other rural stretches of the Midwest, authorities contend that the prevalence of retirees with health-care plans and prescription cards provides one possible answer.

OxyContin is often covered by insurers. Illicit dealers who can make as much as \$1 per milligram for a 160-milligram tablet use suffering patients as well as frauds to obtain the drug from careless, busy or quietly complicit physicians.

"It's becoming the prescription drug of choice from greater Cincinnati to rural Ohio," said Sgt. Kerry Rowland of the Cincinnati Police Division's pharmaceutical diversion squad. "It's

become rampant because it offers such a pure high with less risk of arrest or overdose, and many times health care is picking up the cost."

In depressed areas like Appalachia, those who have a legitimate prescription for OxyContin may feel it is more important to have the money than the drug, noted Pikeville, Ky., Police Chief James Justice. "What happens is they'll realize that there is money-making potential in their prescriptions," he told The Associated Press. "For some of those people, a little extra money makes a difference."

OxyContin has yet to make its mark on the urban drug markets of New York

and other cities, although there have been reports of its sale in New Orleans. It appears to be rooted, said authorities, in areas with little previous heavy criminal drug traffic.

"What is most unusual and disturbing is the number of high school and those in their early 20's who got addicted," said Jay P. McCloskey, the U.S. Attorney in Maine, where the problem became apparent about 18 months ago. "We are talking about some of the best students, some of the best athletes," he said.

Maine is considered among the nation's largest per-capita consumers of OxyContin, McCloskey noted.

Eye in the sky:

Tampa PD keeps tabs on Super Bowl

What right of privacy do you have when you're one of tens of thousands of people attending one of the biggest sporting events of the year in an open stadium? The answer depends on whether you ask the police or civil liberties activists in Tampa, Fla., where a sophisticated surveillance system was used last month to compare the faces of spectators at the Super Bowl with a data base of known criminals.

According to police officials, the computer scanning equipment used at Raymond James Stadium as well as in the Ybor City entertainment district made 19 matches, but none of those had committed crimes that warranted arrest.

"If this tool could prevent a terrorist act or something else, I think the tool

would be priceless," said Joe Durkin, a department spokesman. "The vast majority of visitors to Raymond James would applaud our efforts to keep it safe for everyone."

But the state affiliate of the American Civil Liberties Union has demanded that the city conduct hearings to disclose who authorized the use of the system, which crime data bases were used, what actions would be taken against anyone identified from a data base, and the how the scanned images would later be destroyed.

In a letter to Tampa Mayor Dick Greco, Florida ACLU director Howard Simon said the surveillance may have violated fans' Fourth Amendment rights. "This was essentially a comput-

erized police lineup," he said in the letter. "For the price of admission... they were placed in a police lineup."

Some say it is arguable whether scanning equipment is all that effective under the conditions in which it would most likely be used by police. And while the system may capture and match an image within seconds, a subject could be gone before police arrive.

Tampa used a system developed by Graphco Technologies Inc., which offered its equipment to the city for free. The system, originally developed for use in airports overseas to track terrorists, links cameras to computers that scanned some 1,700 images provided by police of people who had been convicted of offenses ranging from violent

crimes to ticket scalping. The technology instantly dissects facial features and compares them to those in the data base.

Experts warn, however, that digitized photos shot at acute angles or in poor light would create images that fail to match mug shots. In a recent study by the National Institute of Standards and Technology, 43 percent of digital comparisons of posed photos taken of the same person 18 months apart were falsely rejected by computers.

"The laboratory results suggest that this type of system has no chance in hell of working" for more than a rough filtering of suspects, Jim Wayman, director of San Jose State University's Biometric Test Center, told The Los Angeles Times.

Are police ready for returning ex-cons?

Continued from Page 1

they are to be rearrested, because things like finding housing and jobs and re-establishing family ties become harder and harder for them."

For example, a recent study cited by Petersilia in her report for the Justice Department found that in five major U.S. cities, 65 percent of all employers said they would not knowingly hire an ex-offender. Unemployment, said the report, can lead to substance abuse, which in turn is closely correlated with child abuse and family violence.

In a 1993 study, researchers for the Bureau of Justice Statistics found that children of incarcerated and released parents were five times more likely to serve time in prison as adults than other youngsters.

While Petersilia said no data exist on parolees' involvement in family violence, the link may be significant. "Risk factors for child abuse and neglect include parental poverty, unemployment, substance abuse, low self-esteem, and ill health — attributes common among parolees," she wrote.

There is also the risk of increased gang violence when inmates return to old neighborhoods with loyalties acquired in prison, said the study. Researchers in Tallahassee cited by Petersilia found that after offenders had been returned to the community in 1996, a crime surge ensued the following year. One explanation posits that offenders are "making up for lost time" in resuming their criminal careers, it said.

Ultimately, the release of hundreds of thousands of prisoners poses a challenge for policy-makers who have yet to come up with a comprehensive plan,

said the study. "As the numbers increase, they put pressure on the state to build more prisons and, in turn, siphon funds from rehabilitation programs that might help offenders stay out of prison," the study noted. "Parolees will then continue to receive fewer services to

A challenge for policy-makers who have yet to come up with a comprehensive plan.

deal with underlying problems, ensuring that recidivism rates and returns to prison (not to speak of crime victimization) remain high and public support for parole remains low."

Faced with this new challenge, police and community leaders in a number of cities have created re-entry programs to keep track of felons as well as to help them secure jobs, housing, educational opportunities and whatever else they need to stay straight. Among the most comprehensive of these was developed in Washington state under the 1999 Offender Accountability Act. Required to come up with a plan, correctional officials formed re-entry teams that included residents, police, community groups and members of their own ranks, who meet with felons six months before release.

"I think the public is saying, 'Pay attention to the guys who really scare us,'" said corrections secretary Joseph Lehman.

In Spokane, community-run substations are staffed by the 12-member teams so they can be close to the offenders they are watching. They are also home to "guardians," residents who play a key role in helping convicts adjust to life outside, Lehman told USA Today.

In San Antonio, Beverly Watts Davis runs a nonprofit group called San Antonio Fights Back, a boot camp-like program that even monitors how felons spend their paychecks. "Any person without hope is incredibly dangerous," she said.

While not dealing exclusively with newly released offenders, Durham, N.C. has a program called STARS (Strategies to Alleviate and Reduce Senseless Violence) which was implemented about a year ago. The project brings state, local and federal law enforcement entities in the city together with community groups to keep an eye on recidivists, said Lieut. Ed Sarvis.

"What STARS does is identify violent offenders that we have that are on probation or parole and puts them on notice that they straighten up their act or we are going to target them for federal prosecution and maximum sentences," he told Law Enforcement News.

Non-participation in the program, added Capt. Lee Russ, who oversees STARS, is considered a parole violation. While there are no success stories yet, about 90 individuals have been brought into the project.

Basically, offenders are seated in a room with representatives from the U.S. Attorney's office, the DEA, the FBI, the Durham County Sheriff's Office and district attorney's office and local police, said Sarvis. The offenders then meet with community leaders, who offer their help. "They tell them what their role is and what they will if they don't straighten their act out," he said.

The carrot & the stick

Boston PD's partnership approach to prisoner re-entry

We will help you make the transition from prison to freedom, but if you return to a life of crime, we will come down on you like a ton of bricks. That's the message Boston law enforcement authorities are trying to get across to offenders through a post-prison re-entry project that provides a variety of services to literally hundreds of inmates returning to the city each month.

As in most localities, the number of offenders returning to Boston each month is staggering. Communities absorb nearly 3,000 inmates a year from the Suffolk County House of Corrections, the local jail. At least half of those are on some type of probationary status, with 20 percent serving six months or less. The city also receives another 700 felons annually from prisons throughout the state. "What we're seeing is a revolving door with guys going in and coming out," said Police Supl. Paul Joyce.

But it was not so much the numbers as the names that had the department worried, he told Law Enforcement News. The police were seeing teenagers they had dealt with more than a decade ago now coming out of incarceration as men in their early and late 20s. "I know there has always been a high number of offenders being released back into the community, but they started looking familiar to us," said Joyce. "That was what had us concerned."

Moreover, many were winding up as either victims or perpetrators in the increased gun violence that plagued Boston during the first half of 2000.

Last year, the Boston Re-entry Initiative was formed through a partnership among federal, county and local law enforcement authorities, members of the clergy, community workers and corrections officials. The first of its three components begins inside the county jail, where a panel meets with inmates several months before their release. While they are still a "captive audience," said Joyce, they are provided with as many resources as possible — anger management skills, life skills, health skills, drug treatment. The first of these panel sessions was held in September 2000, and a second was convened at the beginning of this year.

In concert with county corrections officials, police receive the names of the 250 or so inmates released each month. The list is then analyzed by the BPD's intelligence and gang units, which pick out those individuals who have a history with the department. The ones whose release could have an immediate impact on the city's crime rate get visits from the team. There have been about 14 inmates at each panel meeting. At least half in the first group have already reached out for help, Joyce said.

"We send two messages to the group: One is that we're here to offer you help in your transition back to the community, want to provide training for jobs and any individual service you might need, act as a mentor or counselor for when you come out," said Joyce. "But we're sending a second message. If you decide to move back into drugs and gangs, we're going to prosecute you to the fullest. We think it's a fair message, well balanced."

The second component of the program is getting the inmate on the right track as soon as he steps out the door of the facility. Clergy and community workers wait outside the prison for the newly released offender because the window for making the decision to stay straight may be as short as 12 hours, said Joyce. "We feel there should be someone in place to help them with that," he said. "If they need to go into substance abuse treatment, they're getting there. If there is a job interview, they're making it."

Employers play a key role in the transition process, and there have already been some job fairs held at the jail. "There is nothing back-door about this — we're putting our cards on the table," said Joyce.

The program's third component is the follow-up, in which members of the project work closely with Mayor Thomas M. Menino's human services cabinet and office of jobs and community services.

Joyce said he believes the initiative is a continuation of what the police department has been doing for the past eight or nine years. All of its strategies, he said, are founded on the strength of the department's ties with the community.

"I think the message that is usually sent is just don't move back into crime or we will rearrest you," said Joyce. "We can't rearrest the numbers we're seeing. You can't look at it that way. You have to look at the big picture, provide opportunities. If someone takes them and does well, then it's a success story."

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Jennifer Nislow
Associate Editor

Mary Mele
Subscriptions

Nancy Egan
Contributing Writer

Correspondents: Walt Francis, Tom Gutchoff, T.L. Tyler, Ron Van Raalte.

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Information, please: News media square off with police

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records access. Under North Carolina law, public records must be accessible at "reasonable times" and "under reasonable supervision."

In Arizona, meanwhile, police and prosecutors in Tempe and Maricopa County maintain that court records are not being sealed with any more frequency than they have been in the past, despite such claims from The Arizona Republic.

"The Founding Fathers made those public so there could be a system of checks and balances to prohibit unlawful search and seizure," said John D'Anna, the newspaper's deputy managing editor.

At issue are the affidavits written by detectives or police legal advisers to explain the reasons in support of search-warrant applications. They can include

crime details, suspect names and statements. Under Arizona statute, search warrants are returned to the court with a list of items seized and are made public five business days after being issued. But prosecutors can ask they be sealed for a variety of reasons.

Paul FitzGerald, a spokesman for the county attorney's office, told Law Enforcement News that he did not know of any time when the media was not given access except when a case was still under investigation. "You don't want to poison the pool, so to speak, so people might call up and say they were responsible for something they clearly were not and had heard about just from reading it or seeing it on television," he said.

The county attorney's office cooperates to its fullest, said FitzGerald. "The only time we don't is when there

is something still out there, or when they've asked for public records on things where kids have been abused and its recorded on videotape," he said.

According to Sgt. Randy Fougner of the Tempe Police Department, affidavits from search warrants involving several murders and a hit-and-run were sealed. Tempe, he said, had a record 15 murders last year. A number of those cases required that the warrant be sealed to protect witnesses and leads.

Citing an example, Fougner said the search warrant related to the hit-and-run death of sportswriter Steve Schoenfeld remained sealed because it identified the owner of the car.

"I think it's their perception, I don't think it is happening any more than it did in the past, it's that they are more active in trying to get that information," he said.

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NY's harsh drug laws get a second look

New York Gov. George Pataki's proposed rewriting of the state's harsh, Rockefeller-era drug laws has riled prosecutors, who maintain that lessening the stringent sentences prescribed by the 1973 mandatory drug-sentencing laws would deprive them of perhaps their most potent weapon against dealers.

Pataki unveiled a plan in January that calls for shorter mandatory terms for offenders serving some of the longest sentences, as well as a treatment option for nonviolent repeat offenders. The proposal would also return some sentencing discretion to judges. Right now, prosecutors can use the threat of lengthy prison terms to force some prisoners into treatment and make plea bargains with others.

The laws enacted under Gov. Nelson Rockefeller are considered to be among the most inflexible in the nation, criticized as being too strict by even Gen. Barry McCaffrey, the former White House director of drug policy. They are widely acknowledged as the cause of the explosion in the state's prison population over the past three decades, from under 13,000 at the time of their passage to more than 70,000 today. Some 21,000 are behind bars for drug convictions, and of those, 4,200 are first-time felons. During the crack epidemic of the 1980s, 40 percent of people sent to state facilities were sentenced for nonviolent drug offenses.

Advocates contend that the chances for overhauling the laws has never been better. While Pataki said shortly after being elected in 1994 that they needed to be eased, it was not until 1999 that he made a proposal to change the laws. That earlier bill, which Pataki tied to the abolition of parole for all felons, was opposed by Democrats and died in the Assembly.

"The governor coming forward with a proposal like this, even though it does not go as far as I would want to go, is a very, very positive step in beginning real progress toward a bill we can enact," said Assemblyman Jeffrion L. Aubrey, a Democrat from Queens. Aubrey's own proposal for reforming the Rockefeller laws is said to have wide support in the Legislature. "I would say, as of today, the chances of doing something about it this year are clearly better than at any time any of us can remember," he told *The New York Times*.

But that has not been greeted as good news by prosecutors.

"I think all of us realize there are going to be changes in the law," Howard Relin, the Monroe County District Attorney, told *Law Enforcement News*. "The concern that we have was that the A-1 felons, the people we convicted over the years of fairly large-scale possession and sale of cocaine and heroin, don't have automatic reductions of sentences because these are some of the

worst offenders that some of the upstate DAs have.

"We're hoping when the Governor comes forward with his proposal, there will be changes that are reasonable changes, but the idea that everyone is going to be getting out of jail because of changes in the law is something that doesn't make any sense to district attorneys," said Relin.

Under Pataki's proposal, 500 inmates out of the roughly 600 serving sentences of at least 15 years to life would become eligible for parole or a reduction of their sentences. Inmates who had been convicted of a violent crime would not be eligible.

Among its elements, Pataki's plan revises the mandatory prison sentence of 15 years to life reserved for the most serious drug felonies. Reviled by critics, the law applies even to first offenders charged with possessing four ounces or more of cocaine and heroin, or the sale of two ounces or more.

Those with no other criminal record would face a minimum of 10 years to life, which they could appeal for a reduction to eight and a third years to life. The mandatory sentence for those with a prior nonviolent conviction would be 12 years to life, with a sentence reduction of 10 years to life on appeal.

While an inmate could become eligible for parole after 10 years, under the plan, it could be much longer before parole was actually granted. Pa-

role requests are reviewed only every year or two by the state parole board.

Some believe that the real fight, however, will be over the fate of lower- and mid-level drug offenders and whether judges will decide which should go to treatment and which belong in prison.

"We can't live with a system that takes out of prosecutors' hands the right to send predatory drug dealers to prison," Schenectady County District Attorney Robert M. Carney told *The Times*. Carney is president of the state district attorneys association, which represents all 62 county prosecutors.

In a letter Carney sent to lawmakers this month, he asserted that the decline in violent crime was due to the vigorous enforcement of the state's drug laws. "It would be extremely shortsighted," he wrote, "to respond to these outstanding reductions in violent crime by taking away the very tools we have used so effectively to make our communities safer."

Other changes proposed in the state's drug laws include treatment for repeat offenders. Currently, all felony drug offenders with prior convictions must serve prison time, although first-time offenders are often placed in diversion programs. Pataki said that when sentencing second-time, nonviolent offenders for all but the most serious crimes, judges should have the choice of sending them to residential treatment

centers for six or more months, rather than force them to serve minimum sentences of four years. In some cases, that would require a prosecutor's consent.

"I think the treatment part of the proposal, if it's 18 months, is certainly something that I would agree with," said Relin. Rochester, he told *LEN*, has had a very successful drug court that orders treatment for periods of 18 to 24 months.

"One of the failures that the state has had is in the area of drug treatment, where people are in there for three or four months, and everyone knows that is too short a period of time," said Relin. "So if the governor's proposal ups treatment to 18 months, I would be amenable to having some defendants go to that where they demonstrate they are looking for real treatment, not just a way to reduce their jail sentence."

Pataki has not included in his FY 2001 budget proposal any money for the major expansion of drug treatment centers that he has acknowledged will be necessary. The funding for that aspect of the plan, he said, will come from a reduction in the prison population of more than 5,000 inmates.

DNA testing is almost at hand

A hand-held DNA testing kit that could be earned and operated by patrol officers will become a reality within the next few years, according to Britain's Forensic Science Service, which informed Parliament in December that research into such a device was well advanced.

The apparatus would be linked to a national data base that already holds nearly a million genetic samples from those convicted of offenses carrying a prison sentence. Prime Minister Tony Blair announced last year that extra funding would be made available to expand the data base in Birmingham to include samples from the nation's entire "active criminal population," which is estimated to be about 3 million.

Senior police officials are also lobbying for a change in the law that would allow samples to be taken from volunteers who wish to participate in mass screenings.

Should the hand-held device become standard issue, it would dramatically reduce the time it now takes to analyze a DNA sample collected at crime scene, from at least 48 hours to nearly instantaneous. Police would also be able to identify whether a driver they have pulled over is a wanted criminal from hair and saliva samples analyzed on the spot.

The kit has already raised concerns among civil libertarians. An official report cited by activists found that thousands of samples are being illegally stored in the data base because police failed to remove those of defendants who have been acquitted.

"The law already allows the unjustified collection of samples," John Wadham, director of the British human rights group Liberty, told *The London Daily Telegraph*. "We know that there are at least 50,000 being illegally held at the FSS data base. This is not the time to relax the law."

FBI: Racism is the hate that's driving most bias-related crime

Racism fueled more than twice as many hate crimes in 1999 as did any other type of prejudice, including ones based on religion, disability, sexual orientation or ethnicity, according to statistics released in February by the FBI.

Of the 7,876 bias-motivated criminal incidents reported by police for that year, race accounted for 4,295, or 54.5 percent. Murders attributed to racial prejudice also reached a five-year high in 1999, accounting for nine of all 17 reported, said the survey. Bias based on sexual orientation or ethnicity accounted for three deaths each, while two were motivated by religious prejudice. Whites, the report said, were responsible for 10 of the homicides, blacks five, and individuals of unknown race were accountable for two.

More than 12,000 law enforcement agencies in 48 states — representing about 85 percent of the country — participated in the Hate Crime Data Collection Program. Of 7,271 offenders whose race was known, associated with 59 percent of total reported incidents, 68 percent, or 4,954, were white, and 1,171, or 16 percent, were black. Eighty percent of the known offenders were reported in connection with the 9,301 crimes against people, with intimidation being the most common offense.

The highest percentage of hate crimes, said the report, occurred in or on residential property — 29 percent. Bias incidents occurring on highways, roads, alleys or streets accounted for 19 percent, and 10 percent happened at schools and colleges.

African Americans were the group most victimized in hate crimes, according to the FBI. The total number of black victims of crimes against persons

Murders fueled by racial prejudice reached a five-year high in 1999.

was 3,679, compared with 996 whites, 379 Asians, 588 Hispanics and 1,289 Jews. Blacks accounted for three of the homicide victims, 1,436 victims of intimidation and 641 victims of simple assault. Blacks were also disproportionately the victims of property crimes such as destruction, damage or vandalism.

Whether black victims were targeted to a greater or lesser extent by members of a specific race, religion or ethnicity cannot be determined from the report, however, because it does not cross-reference the three variables of victim, offender and crime.

Among religious groups, anti-Jewish bias resulted in 1,289 victims of intimidation, vandalism, arson and aggravated assault. Among Catholics, there were 41 victims of bias-motivated vandalism, intimidation and simple assault, according to the report.

Male and female homosexuals and bisexuals accounted for 1,542 victims of hate crimes in 1999. That figure, however, is disputed by a national gay rights advocacy group which has accused law enforcement agencies of underreporting bias attacks based on sexual orientation.

"In some cases, authorities are simply not trained adequately to gather and report the statistics," Elizabeth Toledo, executive director of the National Gay and Lesbian Task Force, told *The San Francisco Chronicle*. "In other instances, they lack the will power or motivation. What these statistics tell us

is that reporting of hate crimes must become mandatory in every state and every jurisdiction in the United States."

Data gathered from gay and lesbian anti-violence groups in just 25 cities or other jurisdictions found 1,965 incidents of bias crime motivated by gender or sexual orientation.

The Anti-Defamation League also questioned some of the report's findings, specifically those cities, such as

San Antonio and Detroit, which reported no hate crimes.

"There is positively no credibility in those numbers," said Michael Lieberman, Washington counsel for the organization.

A spokeswoman for the San Antonio Police Department, Sandy Gutierrez, defended the agency's reporting record, saying that officers are specially trained to log hate crimes. In 2000, there was an increase of nine offenses, she told *USA Today*, which indicates that officers have been successful in identifying bias-motivated crimes.

Arming police with the power of prayer

Say a little prayer for the officers of DuPage County, Ill., urged a local Roman Catholic deacon this month, whose nonprofit organization, DuPage Ministries, has developed a program whereby individuals or religious groups "adopt" officers and pray for their safety in the line of duty.

The Adopt-a-Cop Prayer Partners program was the brainchild of Deacon Ron Yureus, a Glen Ellyn-based chaplain for the Illinois State Police. Anonymous and free to any officer in the county, the organization will send newsletters and postcards that notify personnel if their department has decided to participate.

After joining, officers will receive postcards notifying them of their spiritual adoption. In addition to daily prayers for the officer, Yureus said adoptive church groups would be en-

couraged to send cards on holidays and other special times of the year.

"That way there's no burden to the department," he told *The Chicago Daily Herald*. "This is a no-cost item, but it gives the biggest payoff because these men and women will have the help of the top guy in charge."

State Police Comdr. Norman Martin believes that with all the dangers police face, including traffic mishaps, it does not hurt to pray. Before implementing Adopt-a-Cop, Martin held a meeting with his senior staff to consider whether the ecumenical program was appropriate. It was approved unanimously.

"We really should be praying for these guys," said Yureus. "When you consider the high speed and dangerous things they go through, they need a prayer."

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Kokkelenberg:

Real leadership is more than just a walk in the park

By Lawrence D. Kokkelenberg

"If you think you're a leader, but nobody is following you, then you are just out for a walk."

Bosses have subordinates, but true leaders have followers regardless of their rank or title. Historically, when individuals thought of leadership, they thought of rank. For rookies, it was the field training officer and for everyone else it was the level(s) above their rank. That perception, along with a top-down chain of command, caused a lot of people to believe that they cannot or should not do anything about reoccurring or organizational problems. Organizational problems were beyond their authority, even if they saw departmental problems and solutions; they simply waited for those above them to resolve it.

In many police academies we teach the recruits to have good independent judgment and decision-making out on the street. But when it comes to department or agency issues, we enforce a chain-of-command approach. Today, departments and

Everything a leader does (competence, skills and abilities) is colored or influenced by what a leader is (character, values, morals and attitudes.)

agencies are telling their employees that you are a leader regardless of your position, title or rank; if you see a problem, solve it or bring it to your boss's attention.

Ethics, for example, is not solely the responsibility of upper management. Ethics begin with the individual. Developing a strong set of values and behaving in an ethical manner are the individual's responsibility. Leadership of self must take place before leadership of others. Those that do not do a good job of resolving their own issues usually make very poor leaders. Why? Because everything a leader does (competence, skills and abilities) is colored or influenced by what a leader is (character, values, morals and attitudes.) One of the world's great leaders had no political support, no title, no office or formal organization backing him, and no wealth, yet 300 million people willingly followed this person and took his advice and lead. Who is this person? Gandhi. Gandhi, for the most part, lived an ethical life. He walked his talk and people knew it. He had integrity.

Leadership begins with self-discipline or leadership of self. You must have self confidence, self worth, a sense of purpose and direction in your life, and established values that you choose to live by, before you can effectively have interdependence and work well with others.

Today many departments and agencies are adopting a cradle-to-grave approach to leadership. It begins with recruits at the academy and ends with senior law enforcement executives. There are essentially four levels of leadership and at each level different knowledge and skill sets are necessary. There is a different focus at each level, yet there is a common thread running through the entire program, and each level builds on the one before it.

1. At the core is personal leadership, which is leadership of self. Included here are ethics, developing values, self-confidence, and character development. Every recruit class and every academy should spend considerable time teaching and demonstrating ethics, value development, charac-

ter development and the consequences that attend to the lack of these traits. Background checks are not sufficient. They only cull out the obvious and recent problem applicants. Avoiding the recruitment of felons is not the same as character development.

2. At the next level — FTO's, sergeants, lieutenants — the focus is on leadership of others, or interpersonal leadership. This level includes a wide variety of supervisory and management skills — most importantly, what it takes to lead others, what are the traits of effective leaders, and how to develop those traits. The recognition that leadership is a choice, not a position, is critical here.

3. Next comes the management level of leadership (shift commanders, bureau chiefs, etc.). At this level there is broader responsibility, yet not at the senior command level. Leadership entails an understanding of organizational psychology and organizational effectiveness, systems, structure and their impact on behavior. Managerial style, mission vision and values development and their impact on the department's performance are a part

of this level's skills to be learned.

4. The fourth level is the organizational level, and is for senior law enforcement executives who deal more with a large-scale or big-picture perspective. Strategy development, systems design, process mapping, re-engineering, leading organizational change and the development of agency culture are a part of this level's skill set.

For decades, leadership development has been looked at as a single training program, not a progression; as an event, not a process. For years we have promoted individuals to leadership positions simply because they were in the right spot at the right time, or because they were friends with someone above them. For years some departments have promoted the wrong people simply because they needed the position filled (crisis hiring on the belief that anyone is better than no one).

Many police agencies are now paying the price for past and current management and leadership malpractice. Police reputations and citizen trust are low, we are having trouble attracting high quality candidates to the profession, citizen suspicions and complaints, police turnover and police prosecutions are all up — the list goes on. Lack of leadership certainly contributed to the current problems and it will be the new leadership that helps reestablish policing as the noble profession it is, and regains citizen and world respect

(Dr. Lawrence D. Kokkelenberg is a psychologist who has worked with law enforcement for the past 12 years and is a member of the law enforcement team for Franklin Covey Company. He holds a Ph.D. in clinical and industrial psychology. His work with law enforcement is in the areas of leadership, teamwork, ethics and integrity, organizational change, management development, community policing, and outdoor or experiential learning techniques. Dr. Kokkelenberg can be reached at 815-344-2500.)

Errata:

The Jan 15/31/2001, issue of LEN misidentified the author of the Forum article on community prosecution. Ross Swope retired from the Metropolitan Police Department in Washington, D.C., in 2000 after a 26-year career. Currently deputy director of the U.S. Mint Police, Swope is a former winner of the Herman Goldstein Award for excellence in problem-oriented policing, among other honors. He holds a bachelor's degree from the University of Maryland, and master's degrees from American University and Johns Hopkins University.

Another voice

From the editorial pages of the nation's newspapers.

On racial profiling

In Los Angeles some big-name male African-American athletes and entertainers, as well as other successful young-to-middle-aged black men, say they save time and avoid being hassled by police if they give their local police the tag numbers of the expensive vehicles they drive. Police patrols can then check to see which black-driven cars to leave alone. The issue here, of course, is racial profiling — the practice of police pulling people over, usually young male blacks and Hispanics, for questioning if they fit a particular criminal profile.

Racial profiling has now become the latest

cause célèbre for civil rights activists. Legislation is being introduced in Congress and many state legislatures to curb the practice. Most bills call for collecting data to determine if police patrols create a racial pattern in stopping people. The problem is the datum not only adds another layer of paperwork, it could also be exploited as a first step to write laws that ban all profiling and, ultimately, tie the hands of police.

Maybe data collection is necessary in Los Angeles, but it hasn't reached that point yet in Georgia and South Carolina, much less in Congress. This isn't to say nothing should be done to curb abuses.

First, local and state police commanders should write and enforce reasonable guidelines as to when it's appropriate to consider race before pulling anyone over. Drivers shouldn't be stopped simply for who they are. There must be reasonable grounds to suspect them of something — not just that they're a black (or Hispanic) male, rich and in the "wrong neighborhood."

Police should always be courteous. If they've made a mistake, they should say so on the spot and apologize for the inconvenience.

Third, the media must continue to call attention to abuses to encourage police departments to be more sensitive to the issue.

What's needed to solve racial profiling abuses aren't laws banning a useful police tool when properly used, but a few healthy doses of reason, compassion and common sense. We certainly don't want the ACLU and NAACP running our police departments.

— The Augusta (Ga.) Chronicle
— Feb. 7, 2001

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John Ashcroft gets the Congressional Stamp of Approval.

NYC civilian review panel to prosecute misconduct cases

Civil libertarians and public officials have praised a proposal by New York City Police Commissioner Bernard Kerik and Mayor Rudolph Giuliani that would place responsibility for prosecuting police misconduct in the hands of the city's Civilian Complaint Review Board.

The proposal represents a sharp turnaround for Giuliani, who has generally been a stern critic of civilian oversight of the police.

Under the current system, claims of misconduct and abuse filed by citizens are investigated by the CCRB. If substantiated, the cases are forwarded to the department, where NYPD lawyers decide whether the cases can be prosecuted before the agency's own Trial Division.

The new plan, which was announced Jan. 26 on the mayor's weekly radio program, would give the CCRB authority to prosecute cases, including those alleging excessive force, abuse of authority, rudeness or offensive language. Cases would be tried before a judge at the city's Office of Administrative Trials and Hearings (OATH), who then renders a decision. OATH currently handles disciplinary hearings

for every mayoral agency except the police. The plan would require that the CCRB hire lawyers and create a legal unit.

The CCRB would still have to forward any recommendations for discipline to the police commissioner, who makes the final decision. The commissioner would also retain the authority to accept or overrule decisions rendered by OATH.

Serious cases of misconduct and corruption, however, would still be handled by department lawyers, although Kerik said he was considering turning those cases over to OATH, as well. Department prosecutors would still handle cases of misconduct that are developed by the Internal Affairs Bureau and are not the outgrowth of civilian complaints.

The proposed change, which is expected to take several months to implement, would eliminate the perception held by both the public and the police that the current disciplinary system is a "kangaroo court," Kerik told The Daily News. "There's a lot of negativity out there because we do our own internal trials," he said. "I think at some point we have to try and clear it up."

Virtually the same plan was proposed in June by the mayor's own task force, the Commission to Combat Police Corruption, and by the New York Civil Liberties Union in 1997.

Although Patrolman's Benevolent Association President Patrick J. Lynch said the proposal was still too vague for an assessment, nothing could be worse than the present system. "There's always the possibility that if the CCRB has to prosecute cases itself, it will realize how poorly its investigations are conducted and do something to improve the quality of those investigations," he told The Associated Press. "If that happens, I am confident fewer complaints will be substantiated and cops will get a fairer shake."

The NYCLU's interim executive director, Donna Lieberman, said the change would mean police being held accountable when they break the law and violate individual rights.

Mark Green, the city's public advocate and a candidate for mayor, said he felt the review board could handle the new responsibility if given sufficient resources. "They need to have experienced attorneys with prosecutorial training," he told The New York Times.

Rogue cops had an eye for murder

Despite similarities to an earlier scandal at the same precinct, New York police officials and federal prosecutors maintained last month that a plot to murder a fellow cop conceived by two officers from the city's notorious 77th Precinct did not indicate the type of widespread corruption that led to the indictment of 13 officers in 1986.

Nevertheless, the accusations made in the case of former officers Anthony Trotman and Jamil Jordan are among the most serious leveled in recent years.

Trotman, 35, pleaded guilty on Jan. 24 to armed robbery and admitted to taking part in a plan to kill a detective who contradicted his account of an unrelated arrest. The testimony led to Trotman and his partner, Jordan, being dismissed from the force last August.

According to federal authorities, Trotman and Jordan were part of a robbery gang that included a convicted felon, Vere (Joker) Padmore, who is still at large, and at least four others.

Under a plea agreement, Trotman testified on Jan. 29 at the federal trial of one of the gang members, James (Messiah) Woodard, that he not only participated in the ring, which is believed to be responsible for at least four jewelry stores heists and the robberies of more than a dozen drug dealers, but that he and Jordan had conspired to kill a precinct detective named Michael Paul.

According to court records, the plot to kill Paul did not involve the robberies but rather the arrest of an accused firearms dealer named William Lipford. Paul had left both officers open to perjury charges when his version of Lipford's 1997 arrest contradicted their account.

Lipford was the target of the probe by local and federal authorities into the theft of 160 Uzi machine pistols from Kennedy Airport. Court records show that Paul had wanted Lipford arrested, but did not want to jeopardize the ongoing investigation or the identity of an informant. At his behest, Trotman and Jordan arrested the suspect, claiming that Jordan felt a hard object in the suspect's backpack as he brushed past them in a grocery store.

Their account was later disputed by a civilian witness, a

police officer and the suspect. While Lipford was eventually convicted, Trotman and Jordan fell under suspicion and were eventually fired after the department accused them of lying to federal prosecutors. According to an indictment filed in January, the officers used a police department computer in 1997 to track down Paul's home address, enlisted Padmore to kill him, and drove by his house. They never followed through on the plan.

Police officials placed two other officers named by Trotman, Adam Schachtel and Keith Manley, on desk duty pending an investigation, a senior police official told Newsday.

In 1986, the department was rocked by the "Buddy Boy" scandal in which more than a dozen officers from the 77th Precinct were charged with robbing drug dealers and other crimes. NYPD officials deny, however, that any widespread corruption in the 77th Precinct exists. "There is no systemic corruption in the 77," said Assistant Chief Thomas Fahey. "This is a couple of bad guys who might have done some terrible, terrible things."

In often tearful testimony, Trotman admitted to lying, stealing, falsifying evidence and participating in robberies. His crimes came to light after he was charged in a Jan. 11 federal indictment with robbing H.L. Gross Jewelers on Aug. 1, 1997. The store was robbed twice by the gang. The first time, four to six men wearing black ski masks and carrying guns and claw hammers entered through the store's rear entrance and left with more than \$500,000 in watches and jewelry.

Trotman said he participated in the second robbery. He allegedly appeared at roll call that day, then signed out. Two hours later he helped gang members smash display cases and grab handfuls of watches, bracelets and necklaces, according to court records.

"Through my 11 years, I've told a lot of lies, all kinds of lies," said Trotman. He also disclosed that the gang kidnapped and tortured a Bronx drug dealer until he gave up thousands of dollars in cash. Trotman said he used his gun and shield to pull the man over.

Headlines are not enough

Affirmative-action programs looking a little black & blue
How is it with mandate to produce more use of excessive force
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it's a mother
Scouting the officer of the future
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Police force is too much

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Intruder alert

Police and Secret Service officers scour the White House grounds for evidence on Feb. 7, after a man brandishing a gun, identified as Robert Pickett, was shot by a Secret Service officer following a 10-minute standoff. President Bush was never in danger, officials said.

Homicides in Boston take on a sharper edge

Nationally lauded for its efforts to prevent gang- and gun-related violence, Boston police now seem to have a new problem on their hands — fatal stabbings. Since the beginning of the year, seven of 11 homicides were committed with a knife, compared to just two committed with firearms.

"It's literally like January 1 came, and everyone put their guns away and started pulling out knives," said one police source quoted by The Boston Globe. "And the thing about stabbings is, when you're stabbing someone, you're looking right at the guy. They're practically breathing on you. That's a cold heart."

The most recent murder was on Feb. 13, when a 30-year-old man was stabbed in the legs until he bled to death. His was Boston's 11th murder in less than two months. By the same time last year, police had logged just four homicides. In 2000, only five of 35 homi-

cides were stabbings. In 1999, stabbings accounted for eight of 31 murders, and four of 34 murders in 1998.

"I know it's unusual," said Deputy Police Superintendent Paul J. Farrahar, "and yet I can't establish any single reason for this happening. I don't think there is one.... Whether it's the weapons used, or the motives involved, I don't see a pattern here."

What else is unusual, he noted, was the average age of the victims. Unlike those killed in the past with guns as part of gang or drug activity, the stabbing victims have all been in their early to mid-30s, about 10 years older.

Several theories have been offered about the use of knives, including the notion that severe criminal penalties imposed for using an illegal handgun in a crime, or even just carrying a weapon, have discouraged some from doing either.

But at least some of the recent stab-

bings were the result of domestic disputes, said Farrahar. A Mattapan man was allegedly stabbed to death by a female roommate after an argument, and a Brighton woman allegedly bludgeoned and fatally stabbed by her estranged husband.

According to Jane Doe Inc., a victims' advocacy group, 32 percent of domestic violence homicide victims in the state last year were stabbed to death.

"We know that guns are a huge contributing factor to domestic violence homicides, but knives are very often the weapon that is used," Judith Beals, the group's executive director, told The Globe. "That has important implications for victims in terms of planning for their safety. Some things are common sense, but there has to be an effort to remove as many knives as possible from the home and to stay away from rooms like kitchens when violent situations escalate."

Milwaukee to filter its recruits through psychological screen

Continued from Page 1

candidates, said McLaughlin. "Right now, the reality is that a lot of places are not going to do as in-depth background checks as they did 20 years ago. It's because they have too few applicants and they don't want to."

McLaughlin pointed to an incident in Denver, Colo., in 1999, where the police department hired an applicant who admitted to having used drugs more than 100 times. Just because such behavior has become commonplace does not mean that such an individual will make a good police officer, he noted. "And I'm probably more forgiving than most when it comes to looking at a person's background."

Psychological screening can only go so far, said McLaughlin. If there were a job-related test with a cut-off point set by a psychologist that a department

could use, he said he would favor that process. The Savannah Police Department uses psychological screening and a background check for new recruits.

The goal is also made more complex by the evolving role of police, noted McLaughlin. Many agencies have moved away from the "warrior" model toward more traditional peace officer roles. If law enforcement is looking for different types of individuals than it was two decades years ago, said McLaughlin, then tests should be changed accordingly.

"Can police officers be all things to all people, warriors and cops? I don't think they can, but we want them to be. So what kind of psychological test are we going to have for that?"

And while candidates who believe that close psychological scrutiny would disqualify them may be dissuaded from applying, saving agencies time and trouble, a truly disturbed person can often pass these tests. "People with real problems may be able to get past" the screening, McLaughlin said, just as they can sometimes pass polygraphs.

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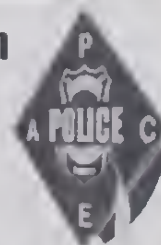
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Home to the 'hood:



As thousands of ex-cons are released into the community, will police be ready for the consequences? **Page 1.**

A finer filter:

Four years after a restrictive court order was lifted, the Milwaukee PD gets ready to add psychological testing to its applicant screening methods. **Page 1.**

New choice:

OxyContin is a powerful prescription pain medicine for cancer patients — and increasingly popular with some substance abusers. **Page 5.**

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What They Are Saying:

“The thing about stabbings is, when you’re stabbing someone, you’re looking right at the guy. That’s a cold heart.”

— A Boston Police Department source, discussing a lopsided shift in choice of murder weapons from firearms to knives.
(Story, Page 11.)